

**UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF MASSACHUSETTS
EASTERN DIVISION**

In re BARRY WISNER CHAPIN, Debtor	Chapter 7 Case No. 20-10324-JEB
HAROLD B. MURPHY, AS HE IS THE CHAPTER 7 TRUSTEE OF BARRY WISNER CHAPIN, Plaintiff v. OCEAN CITY LOFTS CONDOMINIUM ASSOCIATION, INC., et. al., Defendants	Adversary Proceeding No. 20-01090
HAROLD B. MURPHY AS HE IS THE CHAPTER 7 TRUSTEE OF BARRY WISNER CHAPIN, Plaintiff v. UNITED STATES OF AMERICA, DEPARTMENT OF THE TREASURY, INTERNAL REVENUE SERVICE, et. al., Defendants	Adversary Proceeding No. 20-01050-JEB
OCEAN CITY LOFTS CONDOMINIUM ASSOCIATION, INC., Plaintiff, v. UNITED STATES OF AMERICA and HAROLD B. MURPHY, CHAPTER 7 TRUSTEE, Defendants.	Adversary Proceeding No. 20-01063

**ORDER APPROVING MOTION BY CHAPTER 7 TRUSTEE FOR ENTRY OF ORDER
APPROVING (1) SETTLEMENT AGREEMENT WITH THE UNITED STATES OF
AMERICA PURSUANT TO RULE 9019 OF THE FEDERAL RULES OF
BANKRUPTCY PROCEDURE; AND (2) CERTAIN RELATED RELIEF IN
FUTHERANCE OF SETTLMENT AGREEMENT**

This matter has come before the Court on the *Motion by Chapter 7 Trustee for Entry of Order Authorizing and Approving (1) Settlement Agreement with the United States of America Pursuant to Rule 9019 of the Federal Rules of Bankruptcy Procedure; and (2) Certain Related*

Relief in Furtherance of Settlement Agreement [docket no. 549] (the “Motion”),¹ filed by Harold B. Murphy, Chapter 7 trustee (the “Trustee”) of the bankruptcy estate (the “Estate”) of the above-captioned debtor (the “Debtor”) seeking entry of an order approving the *Settlement Agreement* [docket no. 548] (the “Agreement”) entered into by and between the Trustee and the United States of America (the “United States,”), and which provides for, among other things: (i) the settlement and dismissal of Counts I and II of the Complaint filed in the adversary proceeding styled *Murphy v. United States*, Adv. Proc. No. 20-1050 (Bankr. D. Mass.); (ii) the remand of the adversary proceeding styled *Ocean City Lofts Condo. Ass’n v. Chapin et al.*, Adv. Proc. No. 20-1063 (Bankr. D. Mass.) (the “Removed Adversary”) and the lifting of the automatic stay upon remand; (iii) the dismissal of the adversary proceeding styled *Murphy v. Ocean City Lofts Condo. Ass’n et al.*, Adv. Proc. No. 20-1090 (Bankr. D. Mass.); and (iv) dismissal of the State Court Appeal. The Debtor has filed a limited objection to the Motion and the Debtor, the Trustee and the United States have agreed to the terms of this order. The Court has considered the Motion upon adequate notice to parties in interest and is satisfied that the relief requested in the Motion is in the best interests of the Estate and its creditors. After due deliberation and good cause appearing therefore, IT IS HEREBY ORDERED:

1. The Motion is approved in its entirety except as modified by this Order.
2. Following remand of the Removed Adversary to the Circuit Court for the Fifteenth Judicial Circuit in and for Palm Beach County, Florida in the proceeding styled *Ocean City Lofts Condo. Ass’s, Inc. v. Chapin, et al.*, Case No. 2019 CA 003451 (the “Florida Action”), the automatic stay imposed by 11 U.S.C. § 362 shall be lifted as to the Florida Action with respect to all parties, provided however, the lifting of the automatic stay with respect to the

¹ Capitalized terms not defined herein shall have the same meaning ascribed to them in the Motion.

Debtor shall only be to the extent that the Debtor is a necessary party to fully adjudicate the issues in the Florida Action. Nothing in this order is to be construed to allow any party to obtain affirmative relief against the Debtor in the Florida Action.

Honorable Janet E. Bostwick
United States Bankruptcy Judge

Dated: _____, 2021